



सत्यमेव जयते

# The Mizoram Gazette

## EXTRA ORDINARY

### Published by Authority

RNI No. 27009/1973

Postal Regn. No. NE-313(MZ) 2006-2008

**VOL - XLV Aizawl, Friday 3.6.2016 Jyaishta 13, S.E. 1938, Issue No. 155**

### NOTIFICATION

**No. G. 12015/3/09- JERC, date 25<sup>th</sup> May, 2016.** In exercise of the powers conferred by Sub-section (1) and Clauses (g), (zo) and (zp) of Sub-section (2) of Section 181 read with Section 86 (1)(g) of the Electricity Act, 2003 (Act 36 of 2003) and Section 127(1) and all powers enabling it in this behalf, the Joint Electricity Regulatory Commission for Manipur & Mizoram hereby makes the following Regulations to amend the Joint Electricity Regulatory Commission for Manipur & Mizoram (Fees, Fines & Charges) Regulations, 2010 as under:-

**1. Short title, commencement and interpretation.**

- (1) These Regulations may be called the “Joint Electricity Regulatory Commission for Manipur & Mizoram (Fees, Fines & Charges) (First Amendment) Regulations, 2016”.
- (2) These Regulations shall come into force in respective states from the date of their publication in the Official Gazette of Manipur and Mizoram respectively.
- (3) These Regulations extend to the whole of the States of Manipur and Mizoram.

**2. The following Schedule-1 of Fees shall replace the existing Fees, Fines and Charges specified in Schedule-1 appended to the principal regulation notified on 29<sup>th</sup> July, 2010.**

### Schedule-1

**1. Fees to be paid with Petition for a Licence :**

<u>Sl.No.</u>	<u>Nature of Petition</u>	<u>Fee</u>
1.1	Fee payable with petition for a transmission/ distribution/ trading licence under Section 15(1) of the Act.	Rs. 1,00,000/- (Rupees one lakh)
1.2	Initial licence fee under Section 14 of the Act:	
1.2.1	For transmission/distribution licence	Rs. 10,00,000/- (Rupees ten lakh)
1.2.2	Trading licence	Rs. 5,00,000/- (Rupees five lakh)
1.3	Petition for grant of exemption from licence under Section 13 of the Act.	Application fee- Rs. 5,000/- Renewal fee- Rs. 1,000/- per year for subsequent years

2. **Annual Licence fee to be paid by the Licensees including a deemed Licensee:**

<u>Sl. No</u>	<u>Type of Licence</u>	<u>Fee per year</u>
2.1	Transmission Licence	Rs. 6,00,000/- (Rupees six lakh)
2.2	Distribution Licence	Rs. 10,00,000/- (Rupees ten lakh)
2.3	Trading Licence	Rs. 2,00,000/- (Rupees two lakh)
2.4	Integrated Utility (i.e. performing transmission, distribution and trading)	Rs. 16,00,000/- (Rupees sixteen lakh)

Note: The annual licence fees are payable within 15 days of the commencement i.e. by 15<sup>th</sup> of April of each financial year. Any delay shall attract a penal interest @1% per month on the delayed amount. The above annual licence fee shall be enhanced after every five years.

3. **Petition for amendment of licence under Section 18 of the Act:**

<u>Sl. No.</u>	<u>Nature of Petition</u>	<u>Fee</u>
3.1	3.1.1 Petition by licensee	Rs. 1,00,000/- (Rupees one lakh)
	3.1.2 Petition by any person other than licensee	Rs. 50,000/- (Rupees fifty thousand)

4. **Petition for revocation of licence under Sub-section (2) of Section 19 of the Act:**

4.1	4.1.1 By licensee	Rs. 5,00,000/- (Rupees five lakh)
	4.1.2 By others	Rs. 1,00,000/- (Rupees one lakh)

5. **Determination of tariff under the provisions of Clause (a) of Sub-section 1 of Section 62 of the Act:**

<u>Sl. No.</u>	<u>Nature of Petition</u>	<u>Fee</u>
5.1	Petition for determination of tariff for supply of electricity, wholesale, bulk or retail, <b>by a distribution Licensee</b> including a deemed Licensee as also for determination of tariff/charges of wheeling in respect of such distribution Licensee including a deemed Licensee:	
	(i) In the case of initial filing under Multi Year Tariff framework	0.06 paise per kWh of energy proposed to be handled and/or wheeled during the control period for which the petition is being filed subject to a minimum of Rs. 15,00,000/- (Rupees fifteen lakh)
	(ii) In the case of annual filing within the control period of Multi Year Tariff framework including Annual Performance Review (APR) and for Truing up (unless APR and Truing up are filed separately).	0.06 paise per kWh of energy proposed to be handled and/or wheeled during the financial year after revision for which the petition is being filed subject to a minimum of Rs. 10,00,000/- (Rupees ten lakh)

- 5.2 Application for determination of tariff for supply of electricity to any distribution Licensee including a deemed Licensee **by a generating company/agency** responsible for generation under the provisions of Clause (a) of Sub-section (1) of Section 62 of the Electricity Act, 2003:
- |   |  |
|---|--|
| (i) Conventional fuel (coal, gas, oil, etc.) based plant except captive generating plant.   | Rs. 5,000/- per MW of installed capacity or part thereof subject to a minimum of Rs. 10,00,000/- (Rupees ten lakh) |
| (ii) Conventional fuel (coal, gas, oil, etc.) based captive generating plant.   | Rs. 5,000/- per MW of installed capacity or part thereof subject to a minimum of Rs. 1,00,000/- (Rupees one lakh)  |
| (iii) For determination of tariff for a class of project <b>(Non-conventional and renewable energy based plants including Wind, Solar, Mini or Small Hydro Plant and Co-generation Plant, etc.)</b> . | Rs. 5,000/- per MW of installed capacity or part thereof subject to a minimum of Rs. 2,00,000/- (Rupees two lakh)  |
| (iv) Hydro generating station including pumped storage plant other than mini or small hydro generating station and captive hydro generating plant.  | Rs. 5,000/- per MW of installed capacity or part thereof subject to a minimum of Rs. 10,00,000/- (Rupees ten lakh) |
| (v) Captive hydro generating station other than mini or small hydro generating station.   | Rs. 5,000/- per MW of installed capacity or part thereof subject to a minimum of Rs. 1,00,000/- (Rupees one lakh)  |
- 5.3 Petition for determination of tariff/charges for **transmission of electricity of a transmission Licensee** including a deemed Licensee:
- |   |   |
|---|---|
| (i) In the case of initial filing under Multi Year Tariff framework.  | 0.04 paise per kWh of energy proposed to be transmitted and/or wheeled during the control period for which the petition is being filed subject to a minimum of Rs. 10,00,000/- (Rupees ten lakh)              |
| (ii) In the case of annual filing within the control period of Multi Year Tariff framework including Annual Performance Review (APR) and for Truing up (unless APR and Truing up are filed separately). | 0.04 paise per kWh of energy proposed to be transmitted and/or wheeled during the financial year after revision for which the petition being filed subject to a minimum of Rs. 7,00,000/- (Rupees seven lakh) |

6. **Fee for Annual Performance Review (APR) of Multi Year Tariff of Generating Companies, Transmission Licensees and Distribution Licensees (including deemed Licensees) under MYT framework (if APR is filed separately):**

<u>Sl. No.</u>	<u>Nature of Petition</u>	<u>Fee</u>
6.1	Petition for Annual Performance Review of tariff for supply of electricity, wholesale, bulk or retail, as also of tariff/charges for wheeling of a <b>distribution Licensee</b> under Multi Year Tariff framework.	0.01 paise per kWh sold and/or wheeled during the year under Annual Performance Review subject to a minimum of Rs. 7,50,000/- (Rupees seven lakh fifty thousand)
6.2	Petition for Annual Performance Review of tariff under Multi Year Tariff framework for supply of electricity to any distribution Licensee <b>by a generating company/agency</b> responsible for generation of following categories:	
	(i) Conventional fuel (coal, gas, oil, etc.) based plant except captive generating plant.	Rs. 1,000/- per MW of installed capacity or part thereof subject to a minimum of Rs. 10,00,000/- (Rupees ten lakh)
	(ii) Conventional fuel (coal, gas, oil, etc.) based captive generating plant.	Rs. 1,000/- per MW of installed capacity or part thereof subject to a minimum of Rs. 1,00,000/- (Rupees one lakh)
	(iii) For determination of tariff for a class of projection ( <b>Non-conventional and renewable energy based plants including Wind, Solar, Mini or Small Hydro Plant and Co-generation Plant, etc.</b> ).	Rs. 1,000/- per MW of installed capacity or part thereof subject to a minimum of Rs. 1,00,000/- (Rupees one lakh)
	(iv) Hydro generating station including pumped storage plant other than mini or small hydro generating station and captive hydro generating plant.	Rs. 1,000/- per MW of installed capacity or part thereof subject minimum of Rs. 5,00,000/- (Rupees five lakh)
	(v) Captive hydro generating station other than mini or small hydro generating station	Rs. 1,000/- per MW of installed capacity or part thereof subject to a minimum of Rs. 1,00,000/- (Rupees one lakh)
6.3	Petition for Annual Performance Review of tariff/charges for transmission of electricity of a <b>transmission Licensee</b> including a deemed Licensee under Multi Year Tariff framework.	0.04 paise per kWh transmitted and/or wheeled during the year under Annual Performance Review subject to a minimum of Rs. 7,50,000/- (Rupees seven lakh, fifty thousand)

**7. Petition for determination of rates, charges, terms and conditions under the Act:**

<u>Sl. No.</u>	<u>Nature of Petition</u>	<u>Fee</u>
7.1	Petition for determination of rates, charges, terms and conditions under proviso to Sub-section (1) of Section 36 of the Act.	Rs. 1,00,000/- (Rupees one lakh)
7.2	Petition for approval of ARR and determination of fees and charges to be levied by SLDC under Section 32(3).	0.015% of Annual Revenue expected subject to a minimum of Rs. 10,000/- (Rupees ten thousand)
7.3	Petition for approval of the schedule of charges of a distribution licensee under Section 45 and 46 of the Act.	Rs. 50,000/- (Rupees fifty thousand)

**8. Fee to be paid for Review of Tariff Orders :**

<u>Sl. No.</u>	<u>Nature of Petition</u>	<u>Fee</u>
8.1	Petition for review of tariff order for a control period for any category mentioned in Serial 5 of this Schedule:	
	8.1.1 By Licensee and Generation Company	Rs. 5,00,000/- (Rupees five lakh)
	8.1.2 By institution/organization	Rs. 1,00,000/- (Rupees one lakh)
	8.1.3 By individual	Rs.10,000/- (Rupees ten thousand)
8.2	Petition for review of an order of Annual Performance Review of Multi Year Tariff mentioned in Serials 5 and 6 of this Schedule	
	8.2.1 By Licensee and Generation Company	Rs. 5,00,000/- (Rupees five lakh)
	8.2.2 By institution/organization	Rs. 1,00,000/- (Rupees one lakh)
	8.2.3 By individual	Rs.10,000/- (Rupees ten thousand)
8.3	Petition for review of any order of the Commission other than orders mentioned in Serials 5 and 6 of this Schedule:	50% of fee as required for the original petition.
8.4	Petition for inspection of documents permitted to be inspected.	Rs. 100/- (Rupees one hundred) for every one hour of inspection or part thereof.

**9 Fee to be paid with petitions for adjudication of disputes/grievances**

<u>Sl. No.</u>	<u>Nature of Petition</u>	<u>Fee</u>
9.1	For filing Petition for adjudication of disputes regarding availability of transmission facility under the second proviso to Sub-section (2) of Section 9 of the Act, to be paid by the person who has referred such dispute to the Commission.	Rs. 10,000/- (Rupees ten thousand) and above 5MW Rs. 25,000/- (Rupees twenty five thousand)

9.2	For filing Petition for adjudication of dispute under Section 33(4) and 86(1)(f) of the Act.	Rs. 25,000/- (Rupees twenty five thousand)
9.3	<p>Petition relating to open access under Sub-section (2), (3) and (4) of Section 42 of the Act and Regulations specified thereunder:</p> <p>9.3.1 Application under proviso to Section 35 of the Act for adjudication of dispute regarding extent of surplus capacity for intervening transmission.</p> <p>9.3.2 Petition for adjudication of dispute regarding provision of non-discriminatory open access under Section 40 of the Act and Regulations specified thereunder:.</p>	Rs. 2,00,000/- (Rupees two lakh)
	i. For a person who has constructed and maintains and operates a captive generating plant.	Rs. 50,000/- (Rupees fifty thousand)
	ii. For a person having a captive generating plant for generation of energy from renewable sources of co-generation.	Rs. 20,000/- (Rupees twenty thousand)
	iii. For a consumer.	Rs. 5,000/- (Rupees five thousand)
	iv. For a licensee or generating company	Rs. 5,00,000/- (Rupees five lakh)
	v. For any person, other than a generating company or Licensee, who wheels or proposes to wheel electricity.	Rs. 30,000/- (Rupees thirty thousand)
9.4	Adjudication of dispute under Clause (f) of Sub-section 1 of Section 86 of the Act regarding disputes between licensees and generating companies and between licensees themselves, not covered by these Regulations.	Rs. 5,00,000/- (Rupees five lakh)
9.5	For filing Petition for adjudication of dispute under Sub-section (4) and (5) of Section 67 of the Act.	Rs. 1,000/- (Rupees one thousand)

- 9.6 Representation to the Ombudsman under Section 42 (6) of the Act. Rs. 100/- (rupees one hundred)
- 9.7 Appeal submitted to the appellate authority under Section 127(1) of the Act. Rs. 5,000/- (Rupees five thousand)

**10 Petition for imposing penalty under the Act:**

<u>Sl. No.</u>	<u>Nature of Petition</u>	<u>Fee</u>
10.1	Petition for imposing penalty under Section 33(5) of the Act upon any licensee, generating company or any other person.	Rs. 5,000/- (Rupees five thousand)

**11 Petition for punishment due to non compliance of the directions of the Commission under Section 142 of the Electricity Act:**

<u>Sl. No.</u>	<u>Nature of Petition</u>	<u>Fee</u>
11.1	11.1.1 Petition made by a generation company or institution/organization.	Rs. 1000/- (Rupees one thousand)
	11.1.2 By any individual.	Rs. 500/- (Rupees five hundred)
11.2	Cases of non compliance of the orders of Consumer Grievances Redressal Forum (CGRF) or Ombudsman.	
	11.2.1 For individual	Rs. 100/- (Rupees one hundred)
	11.2.2 For institution/organization.	Rs.1000/- (Rupees one thousand)

**12 Petition seeking prior approval under Section 17 of the Act:**

<u>Sl. No.</u>	<u>Nature of Petition</u>	<u>Fee</u>
12.1	12.1.1 To undertake any transaction to acquire by purchase or takeover or otherwise the utility of any other licensee under Section 17(1)(a) or merge his utility with the other utility of any other licensee in the State under Section 17(1)(b).	Rs. 5,00,000/- (Rupees five lakh)
	12.1.2 To assign his license or transfer his utility or any part thereof by sale, lease, exchange or otherwise at any time under Section 17(3) of the Act.	Rs. 5,00,000/- (Rupees five lakh)

**13 Petition for amendment of licence under Section 18 of the Act:**

<u>Sl. No.</u>	<u>Nature of Petition</u>	<u>Fee</u>
13.1	13.1.1 Application by licensee.	Rs. 1,000/- (Rupees one thousand)
	13.1.2 Application by any person other than a licensee.	Rs. 10,000/- (Rupees ten thousand)

**14 Petition for invoking power of the Commission under the Act:**

<u>Sl.No.</u>	<u>Nature of Petition</u>	<u>Fee</u>
14.1	Application for invoking power of the Commission under Section 23 of the Electricity Act, 2003. Direction to the licensee for regulating supply, distribution, consumption or use of electricity	Rs. 5,000/- (Rupees five thousand)
14.2	Application for invoking power of the Commission under Section 24 of the Electricity Act, 2003. Order for suspension of distribution license and sale of utility.	Rs. 5,000/- (Rupees five thousand)
14.3	Monopoly Control. Application for exercise of power under Section 60 of the Electricity Act, 2003. (Market domination)	Rs. 5,000/- (Rupees five thousand)

**15 Petition for review of General Order:**

<u>Sl. No.</u>	<u>Nature of Petition</u>	<u>Fee</u>
15.1	Petition for review of Order passed by the Commission in connection with adjudication in disputes between licensees and generating companies and referring any disputes to arbitration under Clause (i) of Sub-section 1 of Section 86 of the Act.	10% of the fee paid for the original order.
15.2	Petition (i) to set aside ex-parte order or to drop ex-parte proceedings and/or (ii) restore any case which was dismissed due to default.	
	15.2.1 For individual.	Rs. 200/- (Rupees two hundred)
	15.2.2 For institution/organization.	Rs. 1,000/- (Rupees one thousand)
15.3	Petition /Application processing fee for review of order under PPA.	Rs. 5,000/- (Rupees five thousand)
15.4	Petition for review of any order on grounds of clerical error/mistake.	NIL
15.5	Petition for review of order of the Commission not covered in this schedule	Rs. 5,000/- (Rupees five thousand)



**16. Petition under the Energy Conservation Act, 2001 :**

<u>Sl.No.</u>	<u>Nature of Petition</u>	<u>Fee</u>
16.1	16.1.1 Petition made by a generation company.	Rs. 1,000/- (Rupees one thousand)
	16.1.2 By an individual.	Rs. 100/- (Rupees one hundred)
	16.1.3 Petition made by the State Government or by its officer in his official capacity.	NIL

**17. Petition for condonation of delay :**

<u>Sl.No.</u>	<u>Nature of Petition</u>	<u>Fee</u>
17.1	17.1.1 By a licensee and Generation Company.	Rs. 1,000/- (Rupees one thousand)
	17.1.2 By any other person.	Rs. 100/- (Rupees one hundred)

**18. Petition for approval of Business Plan, Agreement, etc.:**

<u>Sl.No.</u>	<u>Nature of Petition</u>	<u>Fee</u>
18.1	Petition for approval of Business Plan including Capital Investment Plan (CIP), etc.	0.01% of the proposed investment subject to a minimum of Rs. 20,000/- (Rupees twenty thousand)
18.2	Petition for approval of Power Purchase Agreement/ Power Sale Agreement/Transmission Service Agreement.	
	(i) Conventional fuel (coal, gas, liquid fuel, etc.) based power plant.	Rs. 10,000/- (Rupees ten thousand) per MW or part thereof subject to a maximum of Rs. 10,00,000/- (Rupees ten lakh).
	(ii) Non-conventional/renewable energy sources based power plants.	Rs. 5,000/- (Rupees five thousand) per MW or part thereof.
	(iii) Transmission Service Agreement	Rs. 2,000/- (Rupees two thousand) per MW
18.3	Petition for determination of Variable Cost Adjustment (VCA) charges	Rs. 50,000/- (Rupees fifty thousand)

**19. Fee on other petition and miscellaneous charges :**

<u>Sl.No.</u>	<u>Nature of Petition</u>	<u>Fee</u>
19.1	Fee on Interlocutory Application on the main petition submitted before the Commission.	Rs. 5,000/- (Rupees five thousand)
19.2	Petition for inspection of record/documents as per provision of the JERC M&M (Conduct of Business) Regulations, 2010.	Rs. 500/- (Rupees five hundred)

- 19.3 Petition for certified copy of the Commission's order or pleadings or unprivileged/non confidential documents filed in case matters under JERC M&M (Conduct of Business) Regulations, 2010.  
18.3.1 Fee on application. Rs. 10/- (Rupees ten)  
18.3.2 Fee per page. Rs. 2/- (Rupees two) per page
- 19.4 Miscellaneous application, not covered in this schedule-  
18.4.1 For individual/Non-Profit Organization Rs. 50/- (Rupees fifty)  
18.4.2 For others. Rs. 250/- (Rupees two hundred fifty)

**By Order of the Commission**

**Recharh Zothankima,**  
Assistant Secretary

*Note : The Principal Regulations were notified in the Manipur Gazette Extraordinary, issue No. 28 dt.2.5.2012 and in the Mizoram Gazette Extraordinary, issue No. 273 dt.6.8.2010.*